

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|---------------------------------|---|--|
| UNITED STATES OF AMERICA | : | DATE FILED: <u>February 23, 2007</u> |
| | : | |
| v. | : | CRIMINAL NO. : _____ |
| | : | |
| WARREN GREENE | : | VIOLATIONS: |
| | : | 18 U.S.C. § 371 (conspiracy to commit |
| | : | criminal infringement of copyright - |
| | : | 1 count) |
| | : | Notice of forfeiture |

I N F O R M A T I O N

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

1. From in or about October 2002 to on or about July 29, 2003, in New Hope, in the Eastern District of Pennsylvania and elsewhere, defendant

WARREN GREENE,

conspired and agreed, with others known and unknown to the United States Attorney, to:

(1) willfully and for the purpose of commercial advantage and private financial gain, distribute more than ten copies of one or more copyrighted works, that is, “pirated” music CDs and “counterfeit” music CDs during a 180-day period, having a total retail value of approximately \$120,000; and

(2) without the consent of the performers involved, and for purposes of commercial advantage and private financial gain, distribute, sell and offer to sell, and traffic in “bootleg” music CDs in which had been fixed the sounds of live musical performances; all in violation of Title 17, United States Code, Section 506(a) and Title 18, United States Code, Sections 2319 and 2319A.

MANNER AND MEANS

It was a part of the conspiracy that:

2. Defendant WARREN GREENE, owned a retail store and business known as “Spinsters Records,” in New Hope, Pennsylvania, and operated that business with others known and unknown to the United States Attorney to sell sound and video music recordings in CD, DVD, and phonorecord formats of entertainers in the music industry.

3. Defendant WARREN GREENE, and others known and unknown to the United States Attorney agreed to sell, as CDs and DVDs, bootleg, counterfeit, and pirated copies of music recordings, that had been reproduced without authorization, and that had been made available for listening and viewing.

4. Defendant WARREN GREENE, and another known to the United States Attorney agreed to sell, as CDs and DVDs, copies and phonorecords of music sound recordings that had been reproduced without authorization in violation of copyrights for the music sound and video recordings.

OVERT ACTS

In furtherance of this conspiracy, in the Eastern District of Pennsylvania and elsewhere, defendant WARREN GREENE and others committed the following overt acts:

1. On or about October 3, 2002, at Spinsters Records, 110 South Main Street,
New Hope, an unindicted coconspirator known to the United States Attorney sold two music CDs, that is, “Sunlight Soldiers at the West End,” by the artist Bruce Springsteen, and a CD by the artist Nelly, titled “Nellyville,” that were bootleg, counterfeit, and pirated copies of

copyrighted music recordings to an undercover investigative associate of the Recording Industry Association of America (RIAA) for a total of \$22.96.

2. On or about January 9, 2003, at Spinsters Records, 110 South Main Street,

New Hope, an unindicted coconspirator known to the United States Attorney sold one music CD, that is, "Bruce Springsteen's Greatest Hits," by the artist Bruce Springsteen, that was a bootleg, counterfeit, and pirated copy of copyrighted music recordings to an undercover investigative associate of RIAA, for a total of \$7.40.

3. On or about January 30, 2003, at Spinsters Records, 110 South Main Street, New Hope, an unindicted coconspirator known to the United States Attorney sold three music CDs, that is, a CD by the artist Peter Gabriel, a CD titled "Prove It All Night," by the artist Bruce Springsteen, and a CD titled "All That You Can't Leave Behind," by the artists known as "U2," that were bootleg, counterfeit, and pirated copies of copyrighted music recordings to an undercover investigative associate of RIAA, for a total of \$23.28.

4. On or about March 27, 2003, at Spinsters Records, 110 South Main Street,

New Hope, an unindicted coconspirator known to the United States Attorney sold a double music CD set by the artists known as "Nirvana," that included bootleg, counterfeit, and pirated copies of copyrighted music recordings to an undercover investigative associate of RIAA, for a total of \$26.48.

5. On or about July 19, 2003, at Spinsters Records, 110 South Main Street, New Hope, an unindicted coconspirator known to the United States Attorney sold two

music CDs, that is, a CD titled “Loose Ends,” by the artist Bruce Springsteen, and a CD by the artists known as “ Phish” that were bootleg, counterfeit, and pirated copies of copyrighted music recordings to an undercover investigative associate of RIAA, for a total of \$23.96.

6. On or about July 29, 2003, at Spinsters Records, 110 South Main Street, New Hope, defendant WARREN GREENE possessed approximately 3,042 bootleg CDs, 1,621 bootlegged, pirated, and counterfeit CDs, 758 pirated CDs, 219 counterfeit CDs, 14 bootleg music DVDs, five pirated vinyl recordings, three bootlegged vinyl recordings, for a total of 5,662 recordings, which were packaged, displayed, and offered for sale to customers for purposes of commercial advantage and private financial gain.

All in violation of Title 18, United States Code, Section 371.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

As a result of the violation of Title 18, United States Code, Section 371, as set forth in this information, defendant

WARREN GREENE,

shall forfeit to the United States of America all infringing copies and phonorecords, CDs and DVDs, including but not limited to the 5,662 infringing copies, phonorecords, CDs and DVDs seized by the United States Secret Service on or about July 29, 2003 at Spinsters Records, 110 S. Main Street, New Hope, Pennsylvania.

All pursuant to Title 17, United States Code, Section 506(b).

PATRICK L. MEEHAN
United States Attorney